

CASE NUMBER: 15SN0606 (AMENDED)**APPLICANT: Karl Johnson****STAFF'S ANALYSIS
AND
RECOMMENDATION****Board of Supervisors (BOS)****Public Hearing Date:**

MARCH 11, 2015

BOS Time Remaining:

365 DAYS

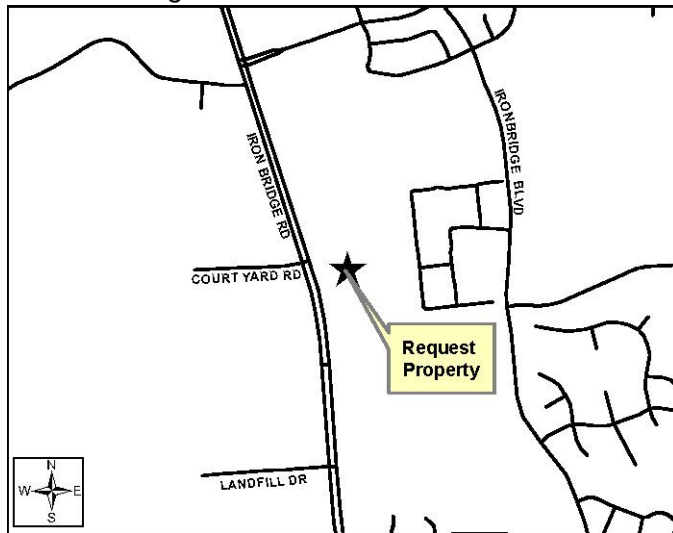
Applicant's Agent:

KARL JOHNSON

(804-691-2918)

Planning Department Case Manager:

ROBERT CLAY (804-796-7122)

CHESTERFIELD COUNTY, VIRGINIAMagisterial District: **Bermuda****APPLICANT'S REQUEST**

Rezoning from Agricultural (A) to Community Business (C-3) plus conditional use planned development to permit exceptions to ordinance requirements relative to setbacks and buffers

(NOTES: A. Conditions may be imposed or the property owner may proffer conditions.

B. Proffered conditions and Textual Statement are located in Attachments 1 and 2.)

RECOMMENDATION

PLANNING
COMMISSION
(2/19/15)

RECOMMEND APPROVAL

- Uses consistent with existing and anticipated area commercial development
- In anticipation of neighboring commercial uses, buffers and setbacks unwarranted

STAFF

RECOMMEND DENIAL

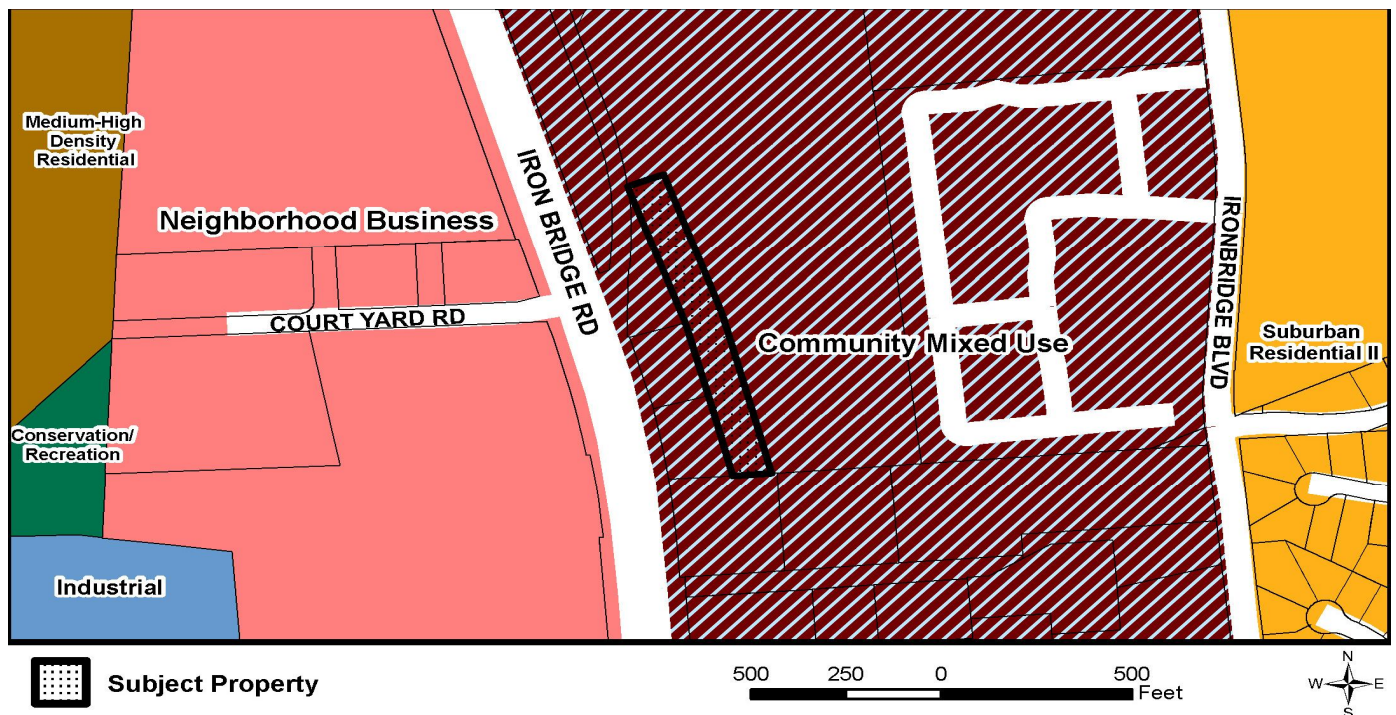
- Does not comply with Comprehensive Plan
- Setback and buffer exceptions premature without overall development plan based on land aggregation

SUMMARY OF IDENTIFIED ISSUES	
Department	Issue
PLANNING	Does not comply with <u>Plan</u> . Specifically, fails to provide for: <ul style="list-style-type: none"> • a mix of commercial and higher density residential uses; • land aggregation and master planning to promote a mixed use development; and • a coordinated plan of development to substantiate requested setback and buffer exceptions.
FIRE	-
CDOT	-
VDOT	-
UTILITIES	-
ENVIRONMENTAL ENGINEERING	-

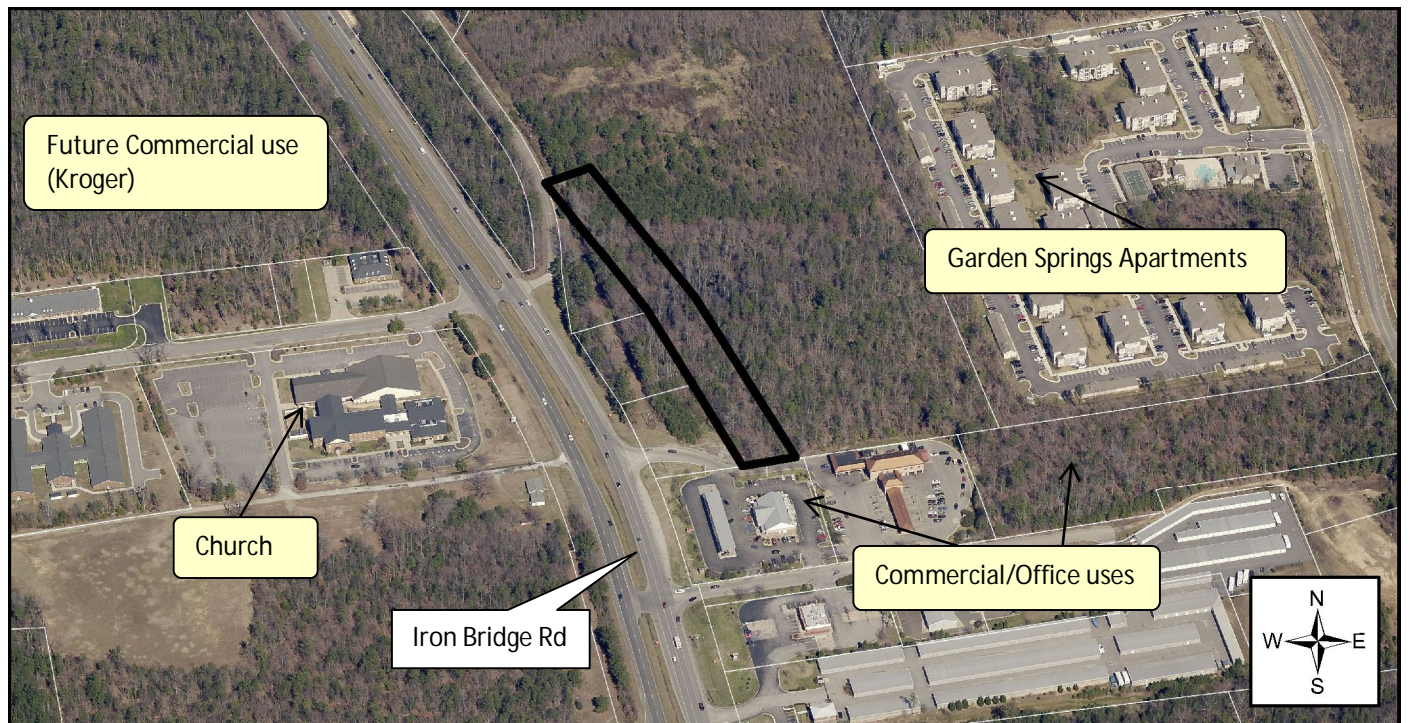
Map 2: Comprehensive Plan

Classification: **COMMUNITY MIXED USE**

The designation suggests the property is appropriate for an integrated mixture of concentrated commercial and higher density residential uses located on tracts having sufficient size to accommodate such mixtures.



Map 3: Surrounding Land Uses & Development



PLANNING

Staff Contact: Robert Clay (804-796-7122) clayr@chesterfield.gov

ZONING HISTORY

Case Number	BOS Action	Request
12SN0217	Approved (12/2012)	Rezone Agricultural (A) to Community Business (C-3) plus CUPD to permit exceptions to buffers on subject 1.6 acres and an adjacent .8 acres zoned C-3. Prior to the Commission's consideration of the request, the applicant withdrew a previously requested setback exception along the eastern property boundary. Proffered conditions limited uses and hours of operation, and addressed architectural treatment. This property is located west of, and adjacent to, the current request property.

PROPOSAL

The request property, which was originally part of a 29 acre tract located to the north and east, has been recently purchased by the applicant with the intent of developing this property in conjunction with adjacent zoned property to the west. Setback and buffer exceptions are requested adjacent to the parent tract (Textual Statement, Attachment 2).

Proffered conditions limiting uses, hours of operation and architectural treatment are consistent with those accepted on the adjacent C-3 zoning to the west (Case 12SN0217). Proffered elevations offer architectural treatment similar to Chesterfield Meadows Shopping Center.

The requested setback and buffer exceptions and proffered conditions are as detailed in the below chart and Attachments 1 and 2:

General Overview	
Requirements	Details
Setbacks for Buildings, Parking and Drives; and buffers	Ordinance requires forty (40) foot setback and seventy-five (75) foot buffer adjacent to Tax I.D. 774-658-2988. Buffers are inclusive of setbacks. Deletion of required setback and buffer requested <i>Textual Statement</i>
Uses	Cocktail lounges, night clubs and liquor stores prohibited <i>Proffered Condition 2</i>
Hours of Operation	Prohibited between 11 p.m. and 6 a.m. <i>Proffered Condition 3</i>
Architectural Treatment	Emerging Growth with Federalist and Colonial architectural features; conformance with elevations <i>Proffered Condition 4</i>

The Comprehensive Plan suggests properties bound by Centralia Road to the north, Iron Bridge Parkway to the south, Iron Bridge Boulevard to the east and Iron Bridge Road to the west are appropriate for an integrated mixture of concentrated commercial and higher density residential uses located on tracts having sufficient size to accommodate such mixtures.

Partitioning the remaining agriculturally-zoned property within this Community Mixed Use area for strip commercial development is not in keeping with the recommendations of the Comprehensive Plan and inhibits the achievement of a coordinated mixed use development. In addition, relief to required setbacks and buffers without the benefit of a development plan for the remaining undeveloped properties is premature given the possibility that adjacent property may develop for residential uses. The Zoning Ordinance would require a setback and buffer on commercially-zoned property adjacent to property zoned or planned for residential development.

A conceptual development plan has been offered by the applicant for informational purposes, only. (Attachment 4)

PUBLIC FACILITIES

FIRE SERVICE

Staff Contact: Greg Smith (804-706-2012) smithgd@chesterfield.gov

When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Chester Fire Station, Company Number 1
EMS Facility	The Chester Fire Station, Company Number 1

COUNTY DEPARTMENT OF TRANSPORTATION

Staff Contact: Jim Banks (804-748-1037) banksj@chesterfield.gov

Staff Contact: Steve Adams (804-751-4461) adamss@chesterfield.gov

The Comprehensive Plan, which includes the Thoroughfare Plan, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The anticipated traffic impact of the proposal has been evaluated and it is anticipated to be minimal.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Brian Lokker (804-674-2384) brian.lokker@vdot.virginia.gov

VDOT Land Use Regulations

Traffic Impact Analysis (24VAC30-155)	-
Access Management (24VAC30-73)	-
Subdivision Street Acceptance (24VAC30-91/92)	-
Land Use Permit (24VAC30-151)	-
Summary	VDOT has no comment on this case.

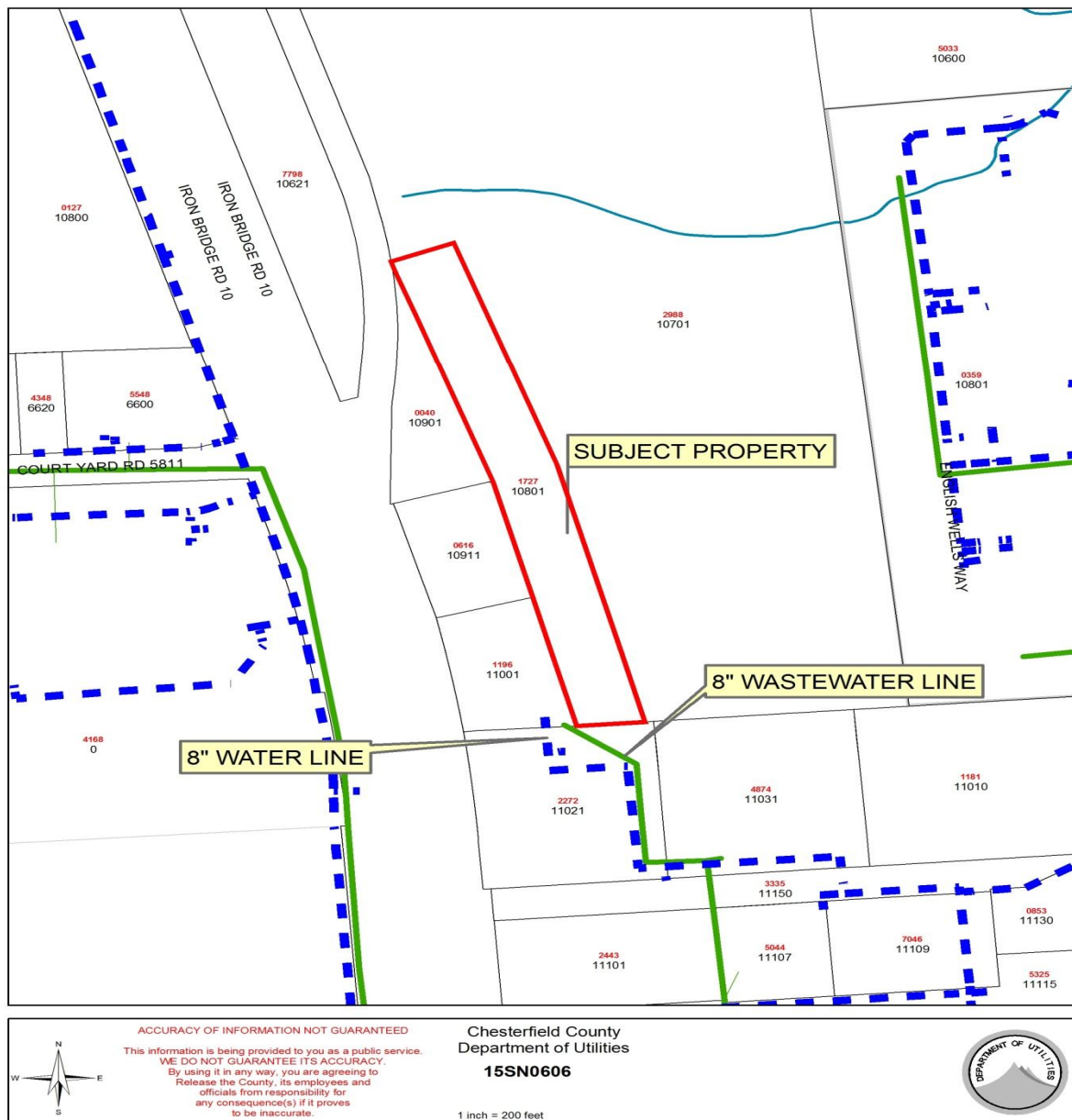
WATER AND WASTEWATER SYSTEMS

Staff Contact: Jamie Bland (804-751-4439) blandj@chesterfield.gov

The proposal's impacts on the County's utility system are detailed in the chart below:

Water and Wastewater Systems			
	Currently Serviced?	Size of Existing Line	Connection Required by County Code?
Water	No	8"	Yes
Wastewater	No	8"	Yes

Map 5: Existing Water & Wastewater Systems



ENVIRONMENTAL

Drainage, Erosion and Water Quality

Staff Contact: Doug Pritchard (804-748-1028) pritchardd@chesterfield.gov

Environmental Engineering has not comment on this request.

CASE HISTORY

Applicant Submittals

11/5/14	Application submitted
12/21/14	Revised proffers and Textual Statement were submitted
1/15/15	Application Amended. Revised proffers and Textual Statement were submitted.
2/13/15	Revised Proffered Condition and elevations were submitted

Community Meeting

1/12/15	Issues Discussed: <ul style="list-style-type: none">• Match Chesterfield Meadows Architecture• Access through property to larger remaining A parcel• Elimination of buffer• Elevations
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Planning Commission

1/20/15	Action - Deferred to February 17, 2015
2/17/15	The Planning Commission meeting scheduled for February 17, 2015 was rescheduled to February 19, 2015 due to inclement weather.

2/19/15	Citizen Comments <p>No citizens spoke to this case.</p> Commission Discussion <p>The Commission noted their support for this case:</p> <ul style="list-style-type: none">• Community meeting was conducted; no opposition• Property would be assembled with adjacent C-3 tract as one development• Consistent with existing and anticipated area commercial development• Buffers and setbacks unwarranted Recommendation – APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS IN ATTACHMENT 1 <p>Motion: Patton; Seconded: Waller AYES: Gulley, Waller, Brown, Patton and Wallin</p>
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The Board of Supervisors on Wednesday, March 11, 2015, beginning at 6:30 p.m., will consider this request.

<p style="text-align: center;">PROFFERED CONDITIONS</p>
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Note:

"CPC" – Recommended by the Planning Commission

- | | |
|-------|---|
| (CPC) | 1. The Textual Statement, dated January 15, 2015, shall be considered the master plan for the setback and buffer along the eastern property line of the site. (P) |
| (CPC) | 2. The following uses shall not be permitted: <ul style="list-style-type: none"> a. Cocktail lounges and nightclubs b. Liquor stores (P) |
| (CPC) | 3. No use shall be open to the public between the hours of 11 p.m. and 6 a.m. (P) |
| (CPC) | 4. In addition to the requirements of the Zoning Ordinance for commercial development in Emerging Growth Areas, all structures shall incorporate Federalist and Colonial architectural design features, similar to those displayed in the Chesterfield Meadows Shopping Center. Further, any buildings shall be in general conformance with the elevations in Attachment 3 entitled "Proposed Elevations for Retail Space; 10901-11001 Ironbridge Road" dated June 17, 2014, relative to architectural style, materials, colors, details and other design features. The exact building treatment shall be approved at the time of site plan approval. (P) |

TEXTUAL STATEMENT

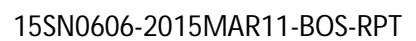
15SN0606

TEXTUAL STATEMENT

~~November 5, 2014~~~~December 19, 2014 (Revised)~~

January 15, 2015 (Revised)

Setback adjacent to Tax I.D. 774-658-2988: There shall be no setback or buffer from the property identified as Tax I.D. 774-658-2988.



CONCEPTUAL DEVELOPMENT PLAN

